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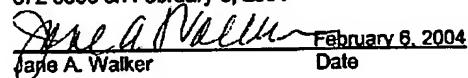
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PATENT

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I hereby certify that this correspondence is being deposited via facsimile to Mail Stop Non-Fee Amendment, Commissioner for Patents, Alexandria, VA 22313-1450, Technology Center 3764 Attention: Azadeh Kokabi, at fax number 703 872 9306 on February 6, 2004


Jane A. Walker February 6, 2004
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No: 10/091,849
Filed: March 6, 2002
Confirmation No.: 8604
Applicant: Steven T. Boyce
Title: APPARATUS FOR PREPARING A BIOCOMPATIBLE MATRIX
Art Unit: 3764 3743
Examiner: Kokabi
Att'y Dock: CUT-02

Cincinnati, Ohio 45202

February 6, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Sir:

ELECTION AND PRELIMINARY AMENDMENT

In response to the Office Action mailed January 9, 2004 in the above-referenced application, applicant elects with traverse Group I. Applicant notes that claims 40-42, drawn to an apparatus, have been erroneously listed with Group II method claims. Applicant thus respectfully requests that the Election include claims 1-5, 11, 18-26, 33-34, and 40-42.

As requested by the Examiner, applicant elects species B, as depicted in figure 1D.

Amendment to the Specification begins on page 3 of this paper.

Amendments to the Claims begins on page 4 of this paper.

Remarks begin on page 14 of this paper.